EXCERPT FROM

PHASE II ARCHAEOLOGICAL SIGNIFICANCE EVALUATIONS OF SITES 44YO0394, 44YO0395, 44YO0396, AND 44YO1026

AT THE WHITTAKER'S MILL TRACT IN YORK COUNTY, VIRGINIA

VDHR File No. 2003-1501

Prepared for:

Premier Properties, Inc.
5252 E. 82nd Street
Suite 300
Indianapolis, IN 46250
(317) 558-9900

Prepared by:

Dr. Garrett Fesler
Dr. Matthew Laird
James River Institute for Archaeology, Inc.
223 McLaws Circle, Suite 1
Williamsburg, Virginia 23185
(757) 229-9485

August 2005

MANAGEMENT SUMMARY

During the months of June and July 2005, the James River Institute for Archaeology, Inc. conducted Phase II archaeological evaluations at four sites—44YO0394, 44YO0395, 44YO0396, and 44YO1026—located on the Whittaker's Mill tract in York County, Virginia. Approximately 225 acres in size, the tract is bound by Highway 64 and an exit ramp to Route 199 on the south and east, by Kings Creek on the west, and by Water Country USA on the north. Archaeologists affiliated with the Department of Archaeology at the Colonial Williamsburg Foundation originally identified sites 44YO394, 44YO0395, and 44YO0396 during a preliminary Phase I survey in 1983. A portion of the historic Williamsburg-Yorktown Road passes through the property (44YO1026). The Whittaker's Mill tract is owned by Premier Properties USA, Inc. which plans to develop the property for commercial purposes.

The purpose of the Phase II evaluations is to define site limits and assess the research potential and preservation conditions of each site, with the ultimate objective being the determination of the eligibility of each site to the National Register of Historic Places. The evaluations consisted of background documentary research, systematic shovel testing, and test unit excavations. The results of these efforts are summarized below.

44YO0394

Site 44YO0394 is located on a bluff overlooking the mill run for Whittaker's Mill (44YO0385) and beyond that the Kings Creek drainage basin. A host of historic components are present within the 250 ft. by 500 ft. boundaries of the site, including a Civil War winter hut chimney base and a nearby earthwork/gun emplacement, a colonial or antebellum brick clamp, a clay extraction pit associated with the nearby clamp, a robbed 30 ft. by 30 ft. late eighteenth-century foundation and surrounding artifact concentration, a 12 ft. brick foundation, a large artifact concentration dating to the second half of the eighteenth century when Carter Burwell and then Nathanial Burwell operated the Mill Quarter on the property.

In our estimation the research potential and the integrity of site 44YO0394 is very good. The 250 ft. by 500 ft. site has not been plowed since the Civil War and this raises the research potential. Aside from nominal damage from logging, site 44YO0394 represents an almost pristine archaeological site that nature has slowly reclaimed. Therefore, for these reasons we recommend that site 44YO0394 is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to salvage the site before earthmoving disturbances can occur.

44YO0395

Site 44YO0395 consists of a colonial brick clamp located on top of a small knoll north of Whiteman Swamp and abuts up against the Williamsburg-Yorktown Road (44YO1026). The site is 110 ft. by 120 ft., and the clamp itself is approximately 25 ft. by 25 ft. in size and comprised of seven brick benches. All evidence suggests the clamp was

fired once, probably to produce bricks for the construction of Philip Lightfoot's nearby mill in the 1720s, its rebuilding by Carter Burwell in the 1750s, or its renovation once again by Nathanial Burwell in the 1770s. After documenting the dimensions of the clamp, detailing construction and contextual data, and sampling the site, we believe there is little additional data that can be extracted from it. Therefore, we feel that the research potential of the brick clamp at site 44YO0395 has been exhausted at the Phase II level, and accordingly, the site is not eligible for listing on the National Register of Historic Places. No further archaeological work is recommended.

44YO0396

Site 44YO0396 is located on a rolling terrace between Whiteman Swamp to the south and the Williamsburg-Yorktown Road (44YO1026) which forms the north boundary. The site consists of two main components: the main scatter of historic artifacts dating to the first half of the eighteenth century and an isolated concentration of lithic material on the south slope overlooking the millpond. The lithic concentration yielded slightly less than 1,400 artifacts, mostly quartzite flakes and debitage. The component functioned as a lithic reduction site during the Archaic period. The majority of the component has been heavily sampled to the extent that we believe its research capacity has been exhausted.

The historic component of 44YO0396 functioned as a slave quarter site in the first half of the eighteenth century while under the ownership of Philip Lightfoot. Although the site has been plowed, archaeologists identified ten subsurface features, including two probable sub-floor pits. The research potential for the slave quarter component is very good and therefore we recommend that it is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to mitigate the site before disturbances can occur.

44YO1026

Site 44YO1026 consists of approximately a 2,900 ft. section of the historic Williamsburg-Yorktown Road. The Phase II work at 44YO1026 did not involve any physical testing. Instead, the objective was to further document the potential significance of the historic road, collect additional documentary data, assess the integrity of the road, and make a determination its eligibility for nomination to the National Register of Historic Places. The road's eligibility hinges on two factors: historic significance and integrity.

The Williamsburg-Yorktown Road is one of the most historically significant roadways in Virginia and the 2,900 ft. section encompassed by site 44YO1026 is extremely well preserved and has high integrity. We recommend that the site is eligible for nomination to the National Register of Historic Places under Criterion A. Preservation in place of all or a portion of the site should be considered as a means of meeting Section 106 requirements as mandated by the National Historic Preservation Act of 1966, as amended. The exact manner of preservation should be determined by consultation with the appropriate regulatory agencies.

I. INTRODUCTION

During the months of June and July 2005, the James River Institute for Archaeology, Inc. (JRIA) conducted Phase II archaeological evaluations at four sites—44YO0394, 44YO0395, 44YO0396, and 44YO01026—located on the Whittaker's Mill tract in York County, Virginia (Figures 1, 2, and 3). Approximately 225 acres in size, the tract is bound by Highway 64 and an exit ramp to Route 199 on the south and east, by Kings[1] Creek on the west, and by Water Country USA on the north (see Figure 2). Archaeologists affiliated with the Department of Archaeology at the Colonial Williamsburg Foundation originally identified sites 44YO394, 44YO0395, and 44YO0396 during a preliminary Phase I survey in 1983 (Hunter 1984). A portion of the historic Williamsburg-Yorktown Road that passes through the Whittaker's Mill tract (44YO1026) received a formal Virginia site inventory number in 2003 (Laird and Lutton 2004). The Whittaker's Mill tract is owned by Premier Properties USA, Inc. which plans to develop the property for commercial purposes.

Under Section 24.1-374 of a York County historic resource management policy (York County 2003), Premier Properties is obligated to take into account the impact of the planned development on cultural resources on its property. To meet the policy directives, Premier Properties agreed to perform a Phase I archaeological survey (see Laird and Lutton 2004) and Phase II evaluations that meet the requirements set forth by Section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. 470) as amended (2001), and summarized by the Advisory Council on Historic Preservation (36 CFR 800) (1986). According to Section 106 of the NHPA, before an undertaking can occur a determination must be made regarding the potential effects that a proposed project might have on historic properties. The Phase II archaeological evaluations of sites 44YO0394, 44YO0395, 44YO0396, and 44YO1026 were designed to identify site boundaries, assess archaeological integrity, and ultimately to determine the significance of each of the four sites in terms of their eligibility for listing on the National Register of Historic Places (NRHP). In addition to fieldwork, JRIA conducted background documentary research as mandated by Section 106 of the NHPA. All facets of the evaluation were conducted in accordance with federal and state guidelines as stipulated by the Virginia Department of Historic Resources (VDHR) (2003) and by the Department of the Interior (1983).

This report provides a description of the project area's physical and environmental setting, and historic contexts specifically focused on the historical eras of the four sites under evaluation. A general research design summarizing field methods and laboratory analysis/artifact curation procedures, previous research at the four sites, and the expected results are discussed. The results of the fieldwork is then described and detailed, and the report ends with overall conclusions and recommendations.

[1] On the United States Geological Survey map the creek is labeled as "King Creek" (see Figure 2), however the more common term is "Kings Creek" and we will use this throughout the report.

Garrett R. Fesler (Ph.D.) compiled the report in collaboration with Matthew R. Laird (Ph.D.) who researched and wrote the historic contexts. Jessica Maul (M.A.) supervised the fieldwork, and he was assisted by Maria Booth, Andrew Butts, Melanie Cooper, Michael Durkin, Rob Haas, Marc Henshaw, Nate Lawrence, Evan Leavitt, Kathy Mapp, and Donnie Rice. All field notes, maps, correspondence, and other material associated with the project are on file at the JRIA offices in Williamsburg, Virginia. A duplicate set of the same information will be placed on file with the artifacts at the Virginia Department of Historic Resources in Richmond, Virginia. The artifacts eventually will be curated at the VDHR as well.

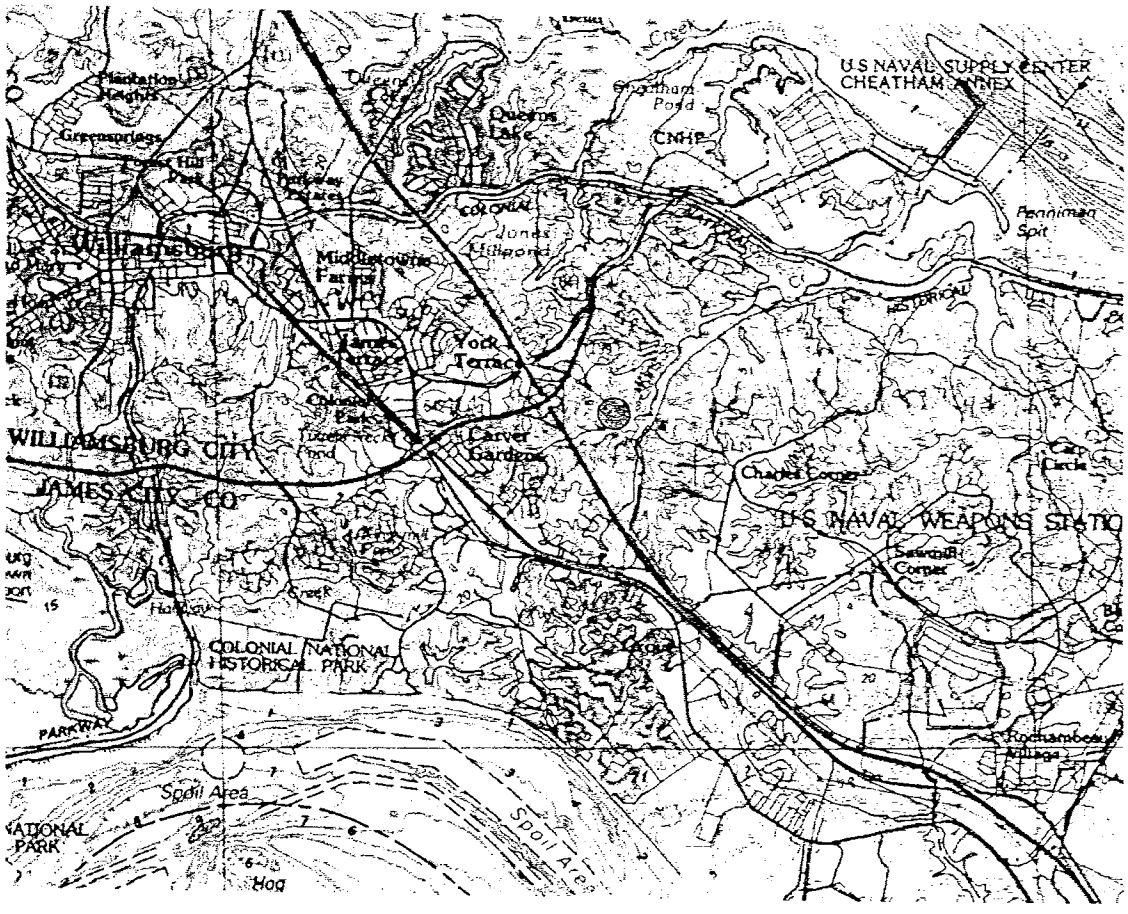

Figure 1. Location of the Phase II sites on the USGS (1:100,000) Williamsburg quadrangle (1984).

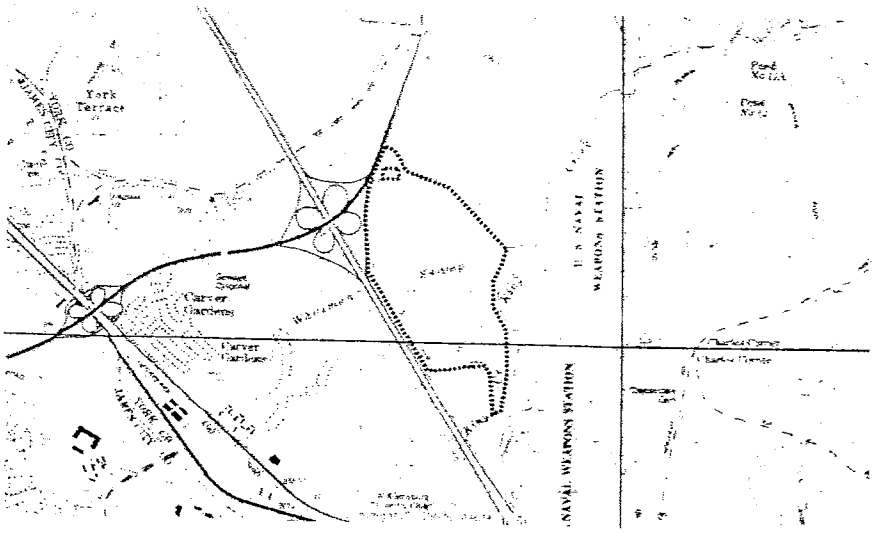

Figure 2. Location of the Whittaker's Mill tract on the USGS (1:24,000) Williamsburg (1984) and Hog Island (1984) quadrangles.

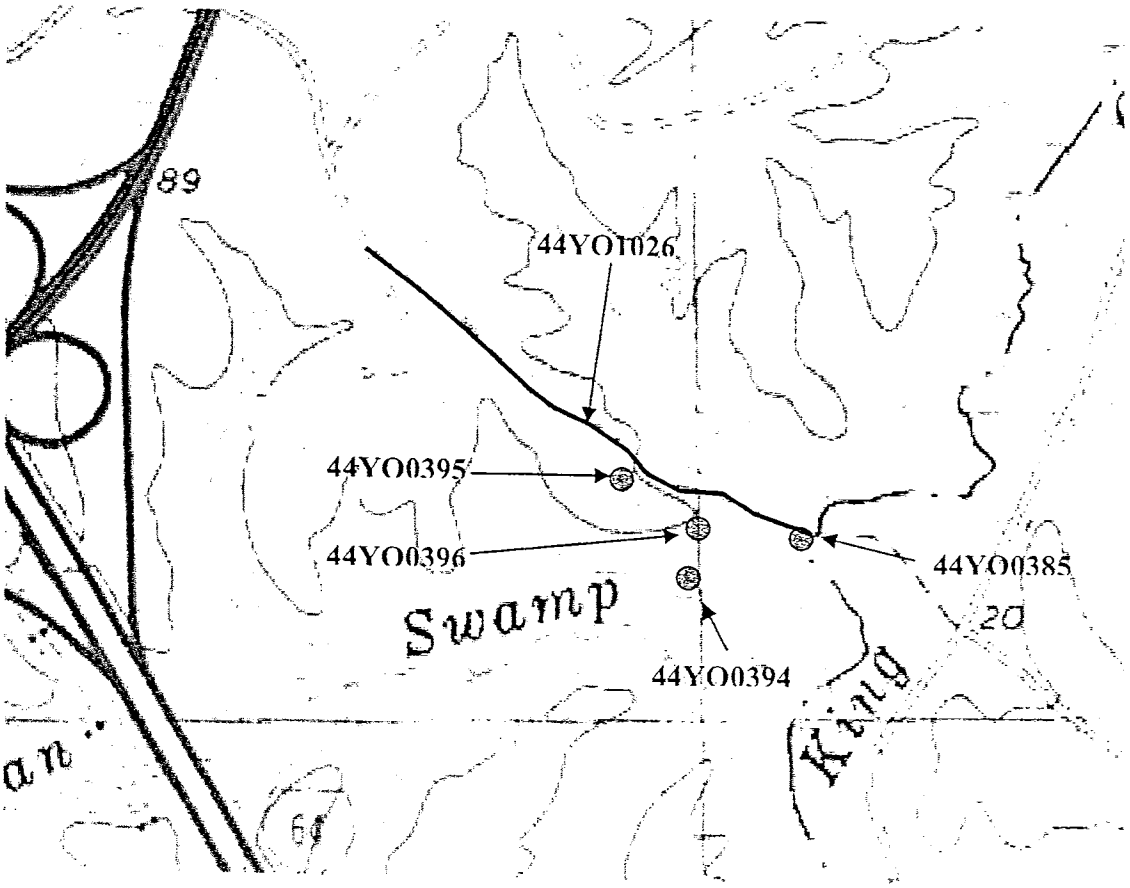

Figure 3. Location of the four Phase II sites, as well as site 44YO0385 (the Whittaker's Mill site), on the USGS (1:24,000) Williamsburg (1984) quadrangle.

II. Physical and Environmental Context

A. Physical Description

Sites 44YO0394, 44YO0395, 44YO0396, and 44YO1026 are located on the 225-acre Whittaker's Mill tract, which is bound on the south and east by Highway 64 and an exit ramp to Route 199, on the west by Kings Creek, and on the north by Water Country USA (see Figure 2). The four sites are situated in close proximity to one another on a sloping, graduated terrace overlooking Kings Creek (see Figure 3). All the sites are forested in relatively mature trees; by appearances, the area last was logged 30 to 40 years ago (Figure 4). Traces of old logging roads can be detected throughout the area, although logging damage seems to be minimal. An old farm road passes close by site 44YO0395, and forms the west boundary of site 44YO0396 (Figure 5). The most visible manmade landscape feature within the project area is the historic road bed (44YO1026) that is carved into the terrain and runs in a northwesterly-southeasterly direction through the property and forms the north boundary of sites 44YO0394, 44YO0395, and 44YO0396 (see Figure 5). Otherwise, there are no distinctive manmade landmarks in the vicinity of the sites to help situate them.

Figure 4. Approximate locations of the four Phase II sites on a recent aerial photograph of the area.

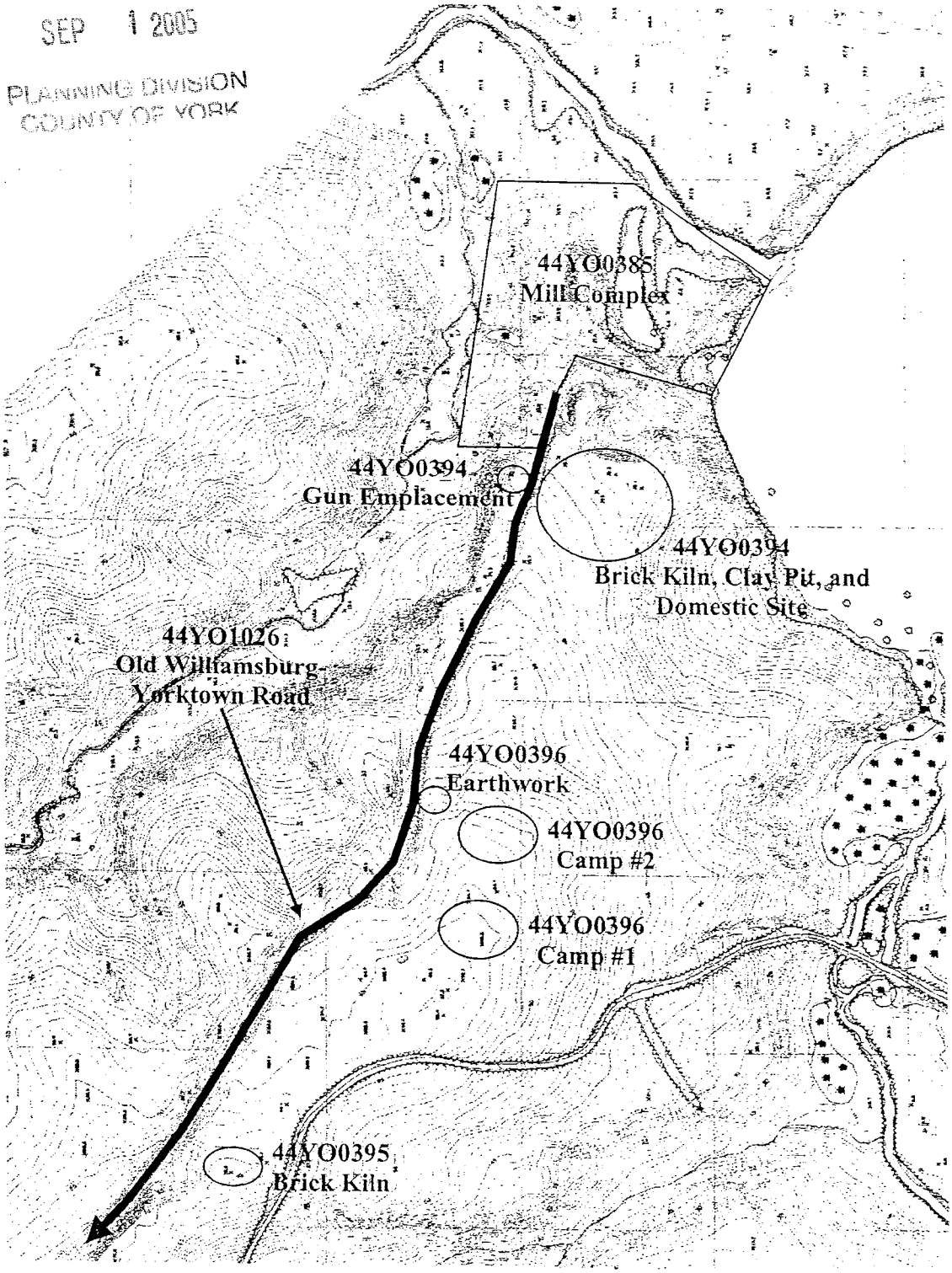

Figure 5. Approximate locations of the Phase II sites as determined during the Phase I survey, as well as site 44YO0385 (the Whittaker's Mill site).

III. CULTURAL CONTEXT

Thanks to the exhaustive documentary research of Alan Simpson, Helen Byrd, and Mary Simpson on behalf of the Colonial Williamsburg Foundation, there is a considerable amount of information available concerning the history of the gristmill lot within the project area—variously known as Lightfoot's, Burwell's, and Whittaker's Mill—as well as that of the adjoining Mill Quarter, an outlying plantation owned by the Burwell family of Carter's Grove and worked by their enslaved African-American labor force during the eighteenth- and early nineteenth centuries. The following historic context serves to summarize the results of the existing documentary research as a means of more effectively interpreting the results of the Phase II archaeological investigation of sites 44YO0394, 44YO0395, and 44YO0396. The principal themes explored include the general history of the mill lot from the early eighteenth- through twentieth centuries; the occupation of African-American slaves at the Burwell's "Mill Quarter" between ca. 1740 and 1800; the limited documentary evidence concerning the brick clamp feature and the technological aspects of colonial brick manufacturing; and the history of military occupation at the site during both the Revolutionary and Civil wars.

A. The History of the Mill Lot (1723-1900)

The beaver dams on Uty's Creek—later known as Kings Creek—were a well-known landmark from the earliest days of settlement in this part of York County in the 1630s and 1640s (see Plate 1). But no enterprising settler appears to have attempted to harness the creek's waterpower until Colonel Philip Lightfoot decided to build a mill here in the early 1720s. Lightfoot owned acreage on the "beaver-dam" lands east of Kings Creek and along the main road between Yorktown and Williamsburg, but needed at least a small parcel on the west side in order to develop a potential mill site. Taking advantage of statutes to encourage the construction of mills, which were considered an essential public utility, Lightfoot petitioned the York County Court in 1723 for one acre on the opposite bank. The court agreed, and Lightfoot's neighbor Robert Jackson was ordered to sell the land for the sum of 20 shillings. Here Lightfoot intended to build a conveniently located public water gristmill, or "custom" mill, where farmers could bring grain to be ground for a toll, and customers could purchase meal, hominy, and forage. It is not clear exactly when Lightfoot's mill began operating, but it appears from frequent references in the county court records that it was in active use between 1726 and 1743. During these years the court received recurring complaints about Lightfoot's failure to adequately maintain the mill bridge, the bridge over the mill tail, and the causeway over the well-traveled public road. The mill appears to have ceased functioning by the late 1740s; there was no mention of it in Lightfoot's 1748 will, and a 1751 document in the county court records makes reference to the former "Beaver Dam Mill" (Simpson et al. 1984:13-20).

Situated as it was on a major thoroughfare—the Williamsburg-Yorktown Road—and with access to ample waterpower, the mill lot was simply too valuable a property to languish unused for long, and in 1751 Carter Burwell of Carter's Grove turned his attention to rebuilding a gristmill on the site. Burwell owned the adjoining plantation quarter by this time, but did not have access to the mill lot itself, which was now in the

hands of William Lightfoot. When Lightfoot proved unwilling to sell or participate in a new mill venture, Burwell resorted to the same legal strategy that Philip Lightfoot had used nearly thirty years before, petitioning the county court for the property. Once again, a jury agreed that the public utility of an operating mill trumped the owner's private property rights, and granted the mill lot to Burwell. Lightfoot in return received £6 compensation, while £10 was paid to two nearby landowners whose property would be inundated by the new millpond. Unfortunately, there are very few references in Carter Burwell's papers to his new mill, so it is not known exactly how much reconstruction was necessary to return the mill to a functioning state. However, it appears that it was rebuilt in the same location as Lightfoot's mill of the 1720s (Simpson et al. 1984:20-21).

The mill appears to have lapsed into disuse once again at some point after Carter Burwell's death in 1756. His son Nathaniel, however, came of age in 1771, and soon became interested in restoring the mill to operation. In 1772, Nathaniel's former guardian, William Nelson of Yorktown, wrote to Samuel Athawes, the Burwell's family factor in London, mentioning that Nathaniel was interested in building a mill and would need two millstones. The young Burwell's plans to resurrect the mill clearly proceeded apace; in fact, this period is the best documented of any of the mill's many incarnations, thanks in large part to the discovery by Simpson and colleagues of the mill daybook and ledger covering the years 1774 through 1778. Having mastered the somewhat arcane nuances of the 1770s mill records, the researchers were able to reconstruct a lost world of commercial relationships between Burwell and his neighbors and customers in Williamsburg and York County. However, documents and maps that postdate the daybook and ledger offer even more important clues to archaeologists investigating the material record of the mill and its associated lot (Simpson et al. 1984: 24-26).

Documents dating to 1785 indicate that Burwell employed millwright William Clark to repair the mill, which had by this time been in constant operation for more than a decade. In May and June of that same year, Burwell was invoiced by Williamsburg brickmason Humphrey Harwood for 2,500 bricks and 56 bushels of lime for "building up the wall at the mill" (Simpson et al. 198-: 24-26). Meanwhile, the detailed map of the Williamsburg area drafted by French military cartographer Nicholas Desandrouin in 1781 depicts the mill and environs in unprecedented detail. Desandrouin indicated a cluster of buildings where the Yorktown-Williamsburg Road crossed Kings Creek which he labeled "Burwell's Mill." The mill was situated on the north side of the road, while three additional buildings were located on the plateau to the south (Figure 6).

Another important source of information is the inventory of Nathaniel Burwell's numerous holdings in York and James City counties taken for the abortive 1798 Continental Assessment, which would have been the first direct tax imposed by the new federal government. This assessment recorded "a mill house Brick 2 story 40 by 20 double Geares with 2 pr. Stones," in addition to a number of other buildings on Burwell's York County properties. Although the 1798 assessment does not distinguish which ancillary buildings were near the mill, it is known from related documentary sources that associated structures in the vicinity included a "still house [distillery] 40 by 20;" "Millers house 24 by 16;" one barn, measuring 40 feet by 20 feet, and one 12-foot by 16-foot

Figure 6. Detail, *Carte des Environs de Williamsburg* (Desandrouin 1781).

"Negro Quarter." It appears that these were the buildings depicted by Desandrouin in 1781 (Simpson et al. 1984: 47-48).

By the early years of the nineteenth century, the political, economic, and social center of Virginia had gravitated westward from Williamsburg, and Nathaniel Burwell—like many of his well-to-do neighbors—left the area to establish a new home at Carter Hall near the town of Millwood in Clarke County. From then until his death in 1814, Burwell leased the mill, which remained a potentially profitable enterprise. A description of the mill lot in an 1810 lease agreement with John Ellis and Richard Whitfield offers an important clue as to the extent of the property and the location of its associated resources:

> Beginning at a small black Walnut in the Mill Race fr. Thence up of Valley to a blazed pine from Thence to a white oak fr. Thence across the Stage Road to an old Brick kiln taking in the Boiling Spring; from on the Brick kiln taking in a small thicket of pines to the Mill pond, thence running along the pond so as to take in the Houses and distillery, with all the waters above and below the said Mill also all and singular the ways conveniences and appurtenances, etc. (Simpson et al. 1984: 52).

After 1814, it appears that the rights to operate the mill continued to be leased out while the property remained in Burwell's estate. In 1828, however, the Burwell heirs decided to sell the property and divide the proceeds, at which time Thomas Hugh Nelson Burwell acquired controlling interest. In 1835, Burwell's tenant Henry Edloe bought the mill for $1,600. Edloe subsequently made significant improvements to the mill, now more than 80 years old, and profitably sold it in 1838 to Scervant Jones, a well-known Baptist minister in Williamsburg. Scervant was less fortunate, however, selling the property five years later for a mere $500 to Robert Saunders, a professor and president of the College of William and Mary. At some point in the 1850s, Saunders appears to have sold the mill to Richard Whittaker, who lived nearby on the former Mill Quarter property that he had purchased from Thomas Hugh Nelson Burwell in 1839. Although small rural mills were rapidly becoming obsolete in the mid-nineteenth century, "Dick Whittaker's Mill" continued to supply flour to local customers, including the mental hospital in Williamsburg. When Whittaker died in 1858, his son Thomas W. Whittaker inherited the property (Simpson et al. 1984: 27-30).

Neither Thomas Whittaker nor the mill would survive the Civil War. Whittaker died in 1862, and his real estate, including the mill—reportedly destroyed the same year—was sold at public auction in 1868. The buyer soon defaulted on the mortgage, however, and a re-sale was ordered, the first of many in subsequent years as a series of purchasers tried, and failed, to revive the fortunes of this increasingly derelict property. By 1890, the mill had been idle for a generation; the creek had broken through the dam, the pond had dried up, squatters lived in the ruined buildings, and scavengers had made off with whatever building materials could be easily carted away. In that year, the most recent owner of the property petitioned the county court to annul the sale, given that he could not obtain clear title to the former pond land essential to bringing the mill back into operation. The testimony of local witnesses in this case provided an invaluable

description of the mill lot in its waning years. Describing a visit to the site, R. T. Armistead wrote:

> I went on the premises and found a Negro man named Brown occupying the house on the premises known as the miller's house (the mill at that time was in dilapidation [sic]). This man Brown had lived there for some years. . . . I could not find from him any-thing in the way of land attached to the Mill-site but a small garden spot attached to the Miller's house, which including that upon which the Mill-house was built and the yard between did not amount to more than one half acre (Simpson et al 1984: v. II, VI: 9).

After the U.S. Navy acquired the property on the east side of Kings Creek for the Navy Mine Depot (now Naval Weapons Station Yorktown) in August 1918, the old Williamsburg-Yorktown Road quickly fell into disuse. Once a significant landmark on a well-traveled and important thoroughfare, the mill site had by the latter years of the twentieth century been all but forgotten by the residents of this rapidly growing area. It was only through the fortuitous discovery of Nathaniel Burwell's mill daybook and ledger, the persistent research of Alan Simpson and associates, and the first tentative archaeological investigations of the Colonial Williamsburg Foundation in the early 1980s that this important piece of York County's history was rediscovered.

B. The Burwells' "Mill Quarter" (1740-1800)

Carter Burwell came of age in 1737, and when he moved to Carter's Grove the following year he began—like any good eighteenth-century gentleman-planter—to keep a ledger recording his business dealings. In this ledger he kept track of his several York County quarters, plantations worked by groups of his slaves under the supervision of an overseer. One of these farms, known as the "Mill Quarter," encompassed approximately 260 acres on the west side of Kings Creek along the Williamsburg-Yorktown Road (Simpson et al. 1984: 20).

In her exhaustive study of the extensive slave community held by the Burwell family from the seventeenth century through the early nineteenth century, Lorena Walsh combed through the available documentary accounts, including ledgers, account books, and personal papers in an effort to reconstruct a social history of the nearly 300 African-Americans who lived and worked at the main plantation at Carter's Grove and the numerous satellite quarters in James City and York counties. In the course of her research, she identified some basic information concerning the relatively small "Mill Quarter" in the early 1740s at the beginning of the Burwell era. Between 1740 and 1745, the following adult slaves were living on the property: Old Nan, Charlotte, Will, Old Cato, Joshua, and Fanny, along with a young boy named Jemmey. Walsh speculated that Old Nan and Old Cato were most likely members of what she termed the "York-Gloucester group" of slaves who had been in the Burwell family since the latter seventeenth century, and were mostly first- or second-generation native-born Virginians. The others, however, may have been recently enslaved Africans brought to Virginia around the time Carter's Grove plantation was established in 1738. This pattern appears

to have been typical of Carter Burwell's slave owning strategy; "he seems generally to have followed a divide and conquer strategy that encouraged cultural merging, assigning a mix of creole and African-born workers to each of the various quarters," Walsh notes (Walsh 1997: 7, 115, 237-38).

Nathaniel Burwell inherited his father's York County holdings, including the Mill Quarter, when came of age in 1771. During this period the farm yielded a variety of agricultural products, including corn, barley, wheat, tobacco, cider, mutton and wool, pork, veal, butter, and milk. It appears that the Mill Quarter did not typically have a resident overseer; John Ross, who supervised Burwell's laborers on the property, also was the overseer at the home plantation at Carter's Grove, suggesting he may have delegated some of his duties to his slave assistant Phil. In the 1780s, Burwell relied on Edward Brooks, who owned his own modest plantation nearby, to run the Mill Quarter, while a later overseer, John Slaughter, was responsible for at least one of Burwell's other York County properties (Simpson et al. 1984: 75-76).

Although they were instrumental in making the Mill Quarter a profitable agricultural property, virtually nothing is known about the African-Americans who lived and labored there during the eighteenth century. Given the fragmentary nature of the documentary record, it is extremely difficult to reconstruct any detailed description of the small African-American community at the Mill Quarter before the Burwell family left the area in the early nineteenth century. However, the York County personal property tax lists from 1784 through 1786 provide at least the names of the slaves who lived here during those years. They included: Abraham, Ben, Amos (who is known to have been working as a miller in 1778), James, Tony, Alice, Beck, two women named Jenny, and a child named Caesar (York County Personal Property Tax Books, 1784-86).

It is not clear exactly where the Mill Quarter slaves resided, although the cartographic evidence suggests that they occupied at least one of the buildings depicted by Desandrouin in the vicinity of the mill (see Figure 6), which was likely the single 12-by 16-foot "Negro Quarter" described in the 1798 Continental Assessment. Archaeological evidence of slave housing collected over the past thirty years indicates that dwellings remained relatively consistent in size and construction throughout the eighteenth century. Aptly described as "hastily built shacks," slave dwellings typically consisted of post-in-ground structures with dirt floors and wooden, clay-daubed chimneys. Dimensions varied: in her analysis of property advertisements in the *Virginia Gazette* between the 1730s and the 1770s, Camille Wells discovered that the measurements of slave houses varied from 8 by 12 feet to 20 by 40 feet. On average, the quarters described in the *Gazette* encompassed 345 square feet, comparable in size to the smallest 21 percent of planter houses. Other estimates of slave dwelling size range as low as 288 square feet. As such, it is clear that the 192-square-foot dwelling at the Mill Quarter was considerably smaller than the norm. In general, it has been estimated that each slave could expect approximately 50 square feet of living space. As such, it appears that this one building might well have accommodated most of the five or six adult slaves on the property at any given time, especially if one or more may have lived and worked at

the mill itself (Walsh 1997: 181; Wells 1993: 16; Orser 1988a: 15-16; Orser 1988b: 15-16;. Kulikoff 1986: 338, 346).

C. Brick Clamp

No documentary record has yet been identified that definitively indicates when the brick clamp on the property may have been used, or for what purpose. However, a handful of references give some clue as to its date. To begin with, "an old Brick Kiln" was referenced as a visible landmark in an 1810 lease of the mill lot, indicating that it certainly dated to the Lightfoot-Burwell era (ca. 1720-1800). It must also have predated the 1785 repairs that were made to the mill, as Williamsburg brick mason Humphrey Harwood was paid for providing only 2,500 bricks for that project, far fewer than would have been produced by this clamp as the later archaeological analysis will demonstrate. Similarly, the size and capacity of the clamp was larger than would have been necessary for effecting the relatively minor improvements made to the mill by Nathaniel Burwell in the 1770s. As such, the clamp most likely relates either to the construction of the original Philip Lightfoot mill of the early 1720s, or its successor reconstructed on the same site by Carter Burwell in the early 1750s.

Although relatively little is known about this particular clamp, the history of pre-industrial brick manufacturing is well documented. Brick making changed little in Virginia from the fledgling industrial efforts of the Jamestown colonists in the early seventeenth century through the years leading up to the Civil War, relying on what was essentially a medieval technology to create this important building product. Before the widespread mechanization of the industry in the nineteenth century, the process of making bricks consisted of five basic steps: mining (or "winning") clay; preparing the clay; molding the bricks; drying them; and finally, firing, or "burning" the bricks (Gurcke 1987: 3-4).

Mining/Winning

Practically all clay used to make bricks in Virginia from the seventeenth through the nineteenth century was obtained through surface mining. After removing the overburden, a process known as "encallowing," clay was dug by hand from relatively shallow pits. The size of these pits varied significantly, depending upon the size of the brickmaking operation. As a rule, Philadelphia brickmakers found that clay mined from a pit encompassing 64 cubic feet would yield a total of 1,000 bricks, which worked out to be just over 15 bricks per cubic foot. Brickmakers typically mined clay during the winter months, as exposure to frost and snow was important to the subsequent process of drying (Gurcke 1987: 4-6; Harrington 1950: 25).

Preparation

Once removed from the ground, the clay required extensive preparation before it could be used. First the raw clay was heaped in large piles and left through the winter months. Freezing helped to break up and crumble the larger lumps of clay, while rain washed out the soluble salts that would otherwise tend to form a white scum on the finished bricks as they aged. The piles were broken up occasionally throughout the

winter, and cut and slashed to expose the interior of the piles to the weather. In most cases, one season of weathering was sufficient to reduce the clay to a workable state.

Once the clay had been sufficiently weathered, it was subjected to an extensive tempering process in the spring. The most basic method of tempering involved spreading the clay out over a level ground surface, sprinkling it with water, then allowing it to be trampled underfoot by people, horses, or oxen until it became pliable. Brick makers also frequently used a "soak pit," a rectangular hole typically measuring 4 feet by 6 feet, to soak the clay overnight. The following day sand or coal dust was mixed in before the clay was shoveled out into a ring or tempering pit, a circular pit 25-30 feet in diameter by 3 feet deep. A horse-powered iron wheel would then be used to mix the clay evenly.

The earliest mechanical device used in clay preparation was the pug mill, which was used either alone or in combination with other methods, depending on the nature of the clay. Early pug mills were simply wooden tubs with a vertical shaft of wood running through it. Attached to the shaft was a series of blades that when rotated would serve to mix the clay as it made its way from the top to the bottom of the mill.

Various materials were added to the clay as it was being prepared to increase its workability and to prevent shrinking or cracking during the drying stage. These additives also served to lower the temperature at which vitrification occurred during firing, or to change the color of the final product. The most common additive was water, which was used to make the clay more pliable. Sand tended to reduce the potential for shrinking and cracking, and stiffened clay that was overly moist. Brick makers also occasionally added "grog," or previously burned clay ground to a powder form, to achieve a similar effect (Gurcke 1987: 6-13; Harrington 1950: 29).

Molding

Once the clay had been prepared, it was molded into the proper shape for firing. Until the advent of brick making machines in the mid-nineteenth century, bricks were shaped by hand in a process dominated by skilled molders who had their own special tools and vocabulary. The mold was typically a simple wooden box, lubricated with either water or sand (hence "water-" or "sand-struck" bricks). The molder would take a "clot" (also known as a "wauk," "walk," or "warp") of clay from the pile, form it roughly by hand, slam it forcefully into the mold, make sure that it filled all the corners, then "strike" it with a straight-edged instrument to trim the excess off the top. The resulting molded "green" brick would be somewhat larger than the final product, taking into account the expected shrinkage from firing. A late seventeenth-century account of brick making estimated that a molder could turn out between 1,000 and 3,000 bricks in a 15-hour day, depending on how much experience and assistance he had (Gurcke 1987: 13-24; Harrington 1950: 29-31).

Drying

It was important that the green bricks be property dried: if they contained too much moisture they would be destroyed in the kiln; if too dry, they would fall apart when handled. First the bricks were laid out on the ground for 24 hours, with each brick losing

about one pound of water through evaporation. Then they were "skintled," or turned on edge so they would continue to dry uniformly. When sufficiently dry, they were "hacked," being stacked in low walls with enough space between rows to allow for air circulation. During the drying stage it was crucial that the green bricks be protected from rain or frost, or else they soon would revert to mud (Gurcke 1987: 24-27; Harrington 1950: 32).

Firing

Of all the steps, the firing process was most critical in determining the quality of the bricks, including their shape, color, and strength. "Burning" the bricks involved a seamless three-step process of firing at increasingly high temperatures to produce the desired result. The first stage was known as "water smoking," which referred to the steam that rose from the green bricks as the temperature was raised to 250°-350° F. When the steam had ceased, the temperature was increased gradually to a red heat, approximately 1,400°-1,800° F. During this "dehydration" stage, the water that was chemically combined with the clay was driven off. This stage required a substantial amount of oxygen, so a strong draft had to be maintained at all times. During the final phase, known as vitrification, the temperature was raised once again to 1,600°-2,200° F, while the kiln was sealed to reduce the amount of oxygen being introduced. At this point the clay softened, the pores spaces filled in, and the larger grains began to adhere to one another. The brick maker's goal at this point was to obtain the greatest amount of shrinkage, or "settle," in the bricks while not allowing them to become deformed. Once the kiln had settled adequately, the fires were doused and the bricks were allowed to cool slowly over a period of 48-72 hours. As in all the stages of the firing process, the judgment and experience of the brick maker was critical at this point. If the kiln were opened too soon the bricks would be damaged, becoming too brittle or cracking. All told, the firing process could take up to seven days.

Before the advent of mechanization, the vast majority of bricks made in Virginia were fired in temporary "scove" or field kilns. Scove kilns were constructed from the green bricks themselves. Constructed in sections, the bottom of each section had an arch or firebox running the length of the kiln. After the kiln had been properly constructed, or "set," with the stacked bricks, it was covered with a shell of burnt brick and daubed with mud to prevent unwanted drafts of air. The arches under the sections were left often to allow the brick maker to light and feed the fires until the final stage of burning when they were blocked with stones or iron doors.

The term "clamp" is often used interchangeably with scove or field kiln. Though both are examples of temporary, "updraft" kilns—i.e. both are constructed of green bricks, and the heat is generated at the bottom and rises through the kiln—the two types differed somewhat in their method of construction. Consisting of a series of walls, or "necks," clamps had "live holes," rather than arches, to channel the heat through the kiln's interior. In fact, the pattern of laid bricks used to construct clamps differed significantly from that of scove kilns; however, both types shared similar disadvantages. Since no effort was made to recirculate the heat through the kiln, the quality of the fired bricks depended largely on where they were situated. Bricks at the bottom were overly

burned, becoming vitrified "clinker" brick, while those on top were under fired. After each burn, the brick maker would carefully sort the bricks. The best were reserved as "face bricks" for exterior building veneers, while the remainder of the well-fired bricks served for all-purpose construction. Unevenly burned bricks, known as "gussels" or "guzzles," were set aside for temporary uses, as they could not withstand weathering or carry loads in buildings. Soft, or underfired, bricks were used for non-load-bearing interior walls or other unexposed areas, or occasionally reburned in the next clamp (Gurcke 1987: 28-38; Harrington 1950: 25-29, 33-34).

D. War Comes to the Mill (1781, 1862-1863)

By the time of the American Revolution, the Williamsburg-Yorktown Road that crossed Kings Creek at Burwell's Mill was well worn, having been used for well over a century. As the principal route between the colonial capital and the important port on the York River, the road saw heavy military traffic during the Yorktown Campaign of September-October 1781. In September 1781, the First Pennsylvania Regiment encamped at the "very advantageous post" on the plateau south of the road, opposite Burwell's Mill. One of its officers, a Lieutenant Feltman, recorded that he observed a strange plant (rice, he was told) growing throughout the marshy lowlands near the mill. Here the Pennsylvanians fended off a sally by Banastre Tarleton's dreaded British cavalry during the Yorktown siege, and returned briefly after the British capitulation on their march back up the Peninsula. Given the relatively brief duration of their encampment here, however, it is unlikely that significant archaeological evidence of their occupation would remain (Feltman 1969: 12-13).

Eighty years after Lieutenant Feldman and his compatriots camped at Burwell's Mill, the Williamsburg area was once again engulfed in armed conflict. In the opening months of the war, Union leaders became convinced that if they could move up the James-York peninsula to Richmond, they could capture the Confederate capital and bring the war to a timely end. Recognizing the threat of a federal assault, the Confederate forces determined that a series of strong defensive lines would be necessary to defend the Peninsula. In May 1861, Colonel Benjamin S. Ewell, then serving as President of the College of William and Mary, was given temporary command of the Confederate land forces on the Peninsula, with responsibility for defending the area between the James and York rivers. Soon after, Ewell planned a defensive line east of Williamsburg, comprised of a series of interlocking earthworks between the two rivers. After a visit to Williamsburg, Confederate commander General Robert E. Lee approved Ewell's plan and construction soon commenced. Ewell was soon replaced by his friend, Major General John Bankhead Magruder. After some debate over the proposed alignment of the fortifications, construction of the Williamsburg line was in full swing by the summer of 1861. Enslaved Africans provided the bulk of the labor, but it was often difficult to maintain consistent progress on the Williamsburg defenses, given the number of military construction projects then underway throughout the Peninsula, and the resistance of local slave owners to having their slaves "impressed" for construction details (Hastings and Hastings 1997: 39-45).

When it was finally completed in the spring of 1862, the Williamsburg line stretched more than four miles from Tutters Neck Pond on the Confederate right to Jones Pond and Cub Dam Creek on the left. Beyond the main defenses, the Confederates built a smaller one-gun battery on the heights overlooking Whittaker's Mill to guard the strategic point where the Williamsburg-Yorktown Road crossed Kings Creek (Figure 7). It was this relatively small position within the project area that was occupied by a detachment of Confederate troops during the winter of 1861-62 (see arrow, Figure 7).

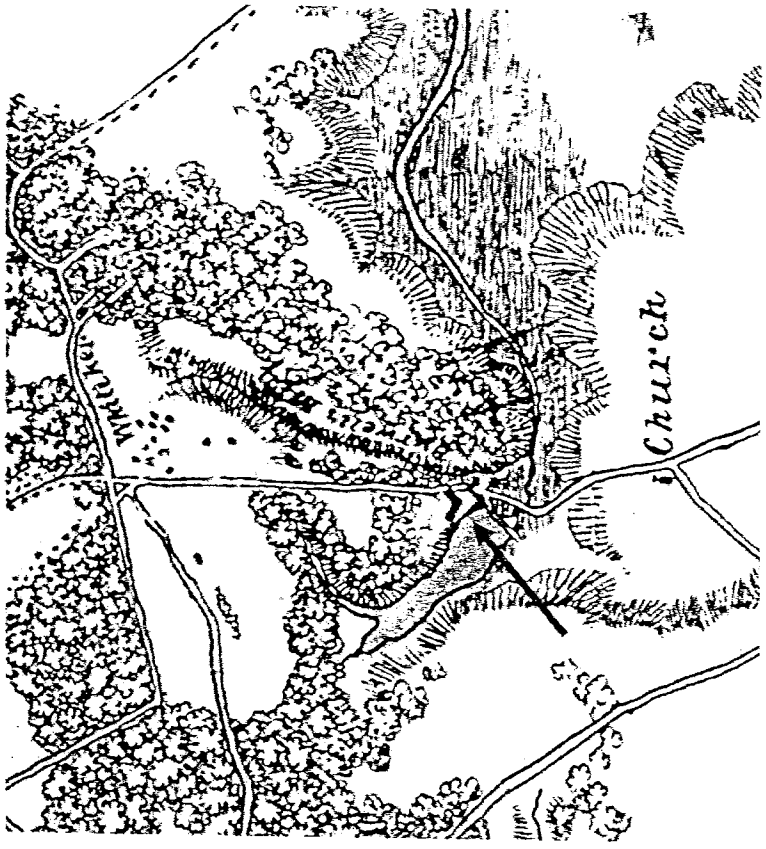

Figure 7. Detail, *Yorktown to Williamsburg* (Abbott 1862).

On October 3, 1861, Magruder issued General Order No. 89, re-organizing the Army of the Peninsula, and preparing winter billets for the men under his command. "The troops will be hutted for the winter," he ordered, "under the direction of the commanding officers of regiments and detachments, the work to be performed by details from each command" (United States War Department 1972, *OR*, Ser. 1, v. 4: 670).

The Confederate troops fashioned their winter quarters to maximize their comfort during the cold months ahead. Though camps were not always laid out according to exacting military standards, there was a pragmatic consistency to their topographical situation. Veteran "relic hunter" Howard R. Crouch learned by experience that "the winter camps nearly always followed the standard rule—built into the southern slopes or

tops of hills (to gain the most of the day's sun) with a creek at the bottom" (Crouch 1992: 129).

With the onset of winter, the most effective way for troops to keep warm and dry was to build semi-subterranean huts. If the camps themselves often lacked a rigid military order, the individual dwellings were even more haphazard. The men were given only the most general of instructions, so the style and appearance of each dug-out hut depended largely on the skill and experience of the builder, and the materials at hand. Regardless of skill, hut builders of both the Confederate and Union armies generally followed a familiar pattern. "In the first place," recalled one Federal sergeant,

> we dug out a hole in the ground about 10 feet long by nearly 6 feet wide, and 18 inches deep. Over and about this we erected a hut four feet high, composed of notched slabs, making a doorway, or rather sort of a creep-hole, in the gable ends, and plastering the holes and cracks with mud and grass. We next put up a ridge-pole, over which we stretched our shelter-tents, to the height of about three feet above the walls, thus giving ample pitch and forming a neatly-proportioned hut; after this work we scooped out a tunnel, four feet long, through the ground, with a opening on the surface; whereupon, through the acquisition of four mess-pork barrels and the addition of a stout sapling to brace the same, we were soon provided with an excellent flue or chimney, and then making the mouth of the oven, thus formed, wide and spacious, we were afforded a fine fire-hearth, as well as a very comfortable and convenient abode, as it were, for our labor, efforts and trouble; for it was not the work of one day alone, but that of the leisure hours allotted to us during several days (Sprenger 1885: 204).

The typical hut, particularly for the enlisted men, was small and cramped, but homey nonetheless:

> Come with me into one of the log huts. . . .The door we are to enter may be cut in the same end with the fire-place. Such was often the case, as there was just about unoccupied space enough for that purpose. But where four or more soldiers located together it was oftener put in the centre of one side. In that case the fire-place was in the opposite side as a rule. In entering a door at the end one would usually observe two bunks across the opposite end, one near the ground (or floor, when there was such a luxury, which was rarely), and the other well up towards the top of the walls. I say, *usually*. It depended upon circumstances. When two men only occupied the hut there was one bunk. Sometimes when four occupied it there was but one, and that one running lengthwise. There are other exceptions which I need not mention; but the average hut contained two bunks.
>
> The construction of these bunks was varied in character. Some were built of boards from hardtack boxes; some of barrel-staves laid

crosswise on two poles; some men improvised a spring-bed of slender saplings, and padded them with a cushion of hay, oak or pine leaves; other obtained coarse grain sacks from an artillery or cavalry camp, or from some wagon train, and by making a hammock-like arrangement of them devised to make repose a little sweeter. At the head of each bunk were the knapsacks or bundles which contained what each soldier boasted of personal effects. These were likely to be under-clothes, socks, thread, needles, buttons, letters, stationary, photographs, etc. The number of such articles was fewer among infantry than among artillerymen, who, on the march, had their effects carried for them on the gun-carriages and caissons. But in winter-quarters both accumulated a large assortment of conveniences from home, sent on in the boxes which so gladdened the soldier's heart.

The haversacks, and canteens, and the equipments usually hung on pegs inserted in the logs. The muskets had no regular abiding-place. Some stood them in a corner, some hung them on pegs by the slings.

Domestic conveniences were not entirely wanting in the best ordered of these rude establishments. A hardtack box nailed end upwards against the logs with its cover on leather hinges serving as a door, and having suitable shelves inserted, made a very passable dish-closet; another such box put upside down on legs, did duty as a table—small, but large enough for the family, and useful. Over the fire-place one or more shelves were sometimes put to catch the *bric a brac* of the hut; and three- or four-legged stools enough were manufactured for the inmates. But such a hut as this one I have been describing was rather *high-toned*. There were many huts without any of these conveniences (Billings 1887: 74-76).

After a relatively quiet winter anticipating the inevitable Federal spring campaign, the troops posted to Whittaker's Mill would finally see action in May 1862, as the siege of Yorktown ended and both armies began moving west. When the Confederate forces began to evacuate Yorktown on the night of May 3, 1862, J.E.B. Stuart's cavalry brigade was deployed to cover the main roads leading to Williamsburg. The 4th Virginia Cavalry regiment under the command of Lieutenant-Colonel Williams Wickham, and a detachment of Colonel Thomas J. Goode's 3rd Virginia Cavalry, were ordered to protect the Williamsburg-Yorktown Road, and took up positions at Whittaker's Mill. The veteran Confederate troopers, exploiting their strategic position on the high ground overlooking the crossing at Kings Creek, rapidly threw up breastworks in the woods along both sides of the road and awaited the inevitable Union assault (Hastings and Hastings 1997: 32-33).

By noon of May 4th, Federal cavalry under Brigadier General Phillip St. George Cooke began to advance up the Williamsburg-Yorktown Road, skirmishing with the advance Confederate pickets and driving them back to Whittaker's Mill. The 6th U. S. Cavalry led the initial advance against the rebel positions at the mill, exchanging fire with

the entrenched defenders. Cooke arrived soon after, and, seeing that his troopers were meeting stiff resistance, ordered an artillery battery to be brought forward. The Union guns arrived and began firing at the Confederate positions at relatively close range. When this failed to dislodge them, Cooke ordered the 6th U.S. Cavalry to charge the breastwork. Before the attack could be carried out, however, the Confederates withdrew, leaving behind two burned wagons and a spiked howitzer. As the Union advance on Williamsburg continued, McClellan and his generals established their headquarters nearby at the Whittaker House, where they would remain through the subsequent battle (Hastings and Hastings 1997: 32-33).

A watercolor sketch by Union Private Robert Knox Sneden, one of hundreds of his Civil War era drawings only recently discovered, provides an unusually detailed depiction of the Whittaker's Mill area shortly after the Battle of Williamsburg (Figure 8). Sneden's image clearly depicts the mill, the millrace—spanned in at least two places by wooden bridges—a modest frame dwelling with brick end chimney (identified as "Whittaker's house" but actually the miller's house) and a small log outbuilding. By this time, the area clearly had been altered significantly by its military occupation. The imposing single-gun battery loomed over the mill, while the remains of the Confederate breastworks erected before the Battle of Williamsburg were still in place at the toe of the slope. South of the Williamsburg-Yorktown Road was the "rebel camp," situated on a gentle south-facing slope adjacent to the millpond. The winter camp appears to have been comprised of a mixture of tents and semi-subterranean log huts. Stumps in the foreground of the sketch suggest that the Confederates had felled trees to create a clear line-of-fire up the road. Sneden also noted the spiked artillery piece that had been unceremoniously dumped into the millpond by the retreating rebels.

When the ill-fated Peninsula Campaign came to a close in the summer of 1862, the Williamsburg area remained under Union control, with a Federal detachment posted to protect against the Confederate units that continued to launch sporadic raids in the area. During the fall of 1862 and the spring of 1863, the 5th Pennsylvania Cavalry was encamped near Whittaker's Mill, a short distance to the east on the road to Chiskiak (or "Cheesecake") Church (Figure 9). A Union hospital also was established nearby. Garrison duty proved largely uneventful for the troopers, but on March 29, 1863, the tedium was broken by a small-scale, yet noisy, Confederate attack on Union pickets in Williamsburg. Local resident William Douglas later reported that he could see columns of smoke rising from the Federal camps at Fort Magruder and Whittaker's Mill, as the troops burnt their stores to prevent their capture in the anticipated assault (Dubbs 2002: 277-78, 283, 287-88).

Less than two weeks after the Williamsburg skirmish, the Federal troops near Whittaker's Mill would face a far more devastating incursion. On April 11, 1863, Confederate troops under the command of Brigadier General Henry Wise launched another attack on the U.S. pickets in Williamsburg, this time driving them back to Fort Magruder. The 5th Pennsylvania Cavalry proceeded immediately to the fort to assist in its defense. Meanwhile, a smaller Confederate raiding party led by Colonel William A. Tabb managed to sneak up on the Whittaker's Mill camp, capture its guards, destroy most

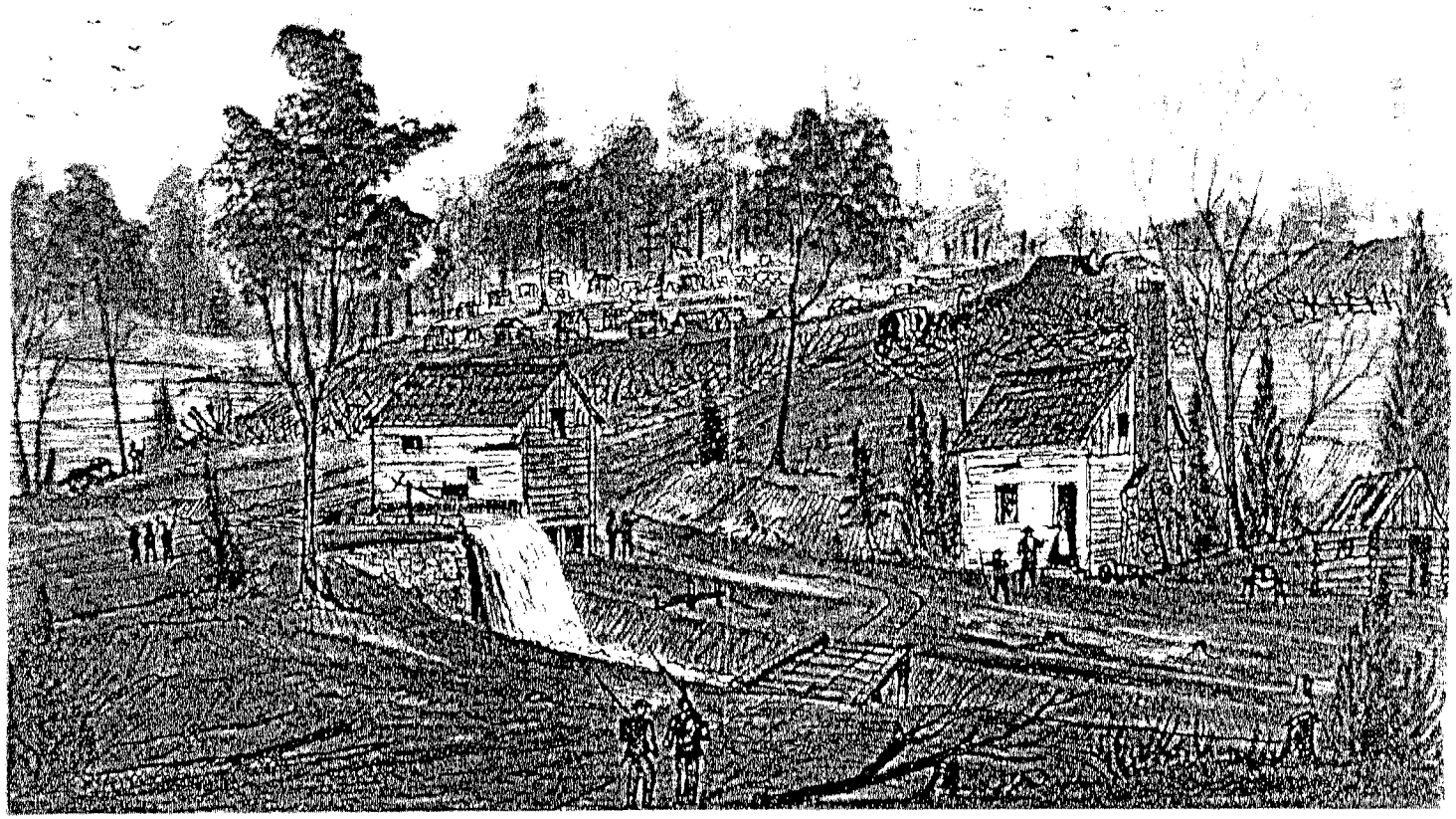

Figure 8. *View of Whittaker's Mill near the battlefield of Williamsburg, Va.* Sketched May 4, 1862 (as reproduced in Bryan et al. 2001). Courtesy of the Virginia Historical Society.

Figure 9. Detail, *Military Map of a Part of the Peninsula from Fort Monroe to Williamsburg* (Dix 1862).

of the commissary stores, burn the hospital, and parole the patients. Despite indulging themselves in captured Federal liquor, the Confederate raiders reportedly treated the officers' wives "with the greatest consideration," allowing them to keep their personal effects. This raid proved a considerable embarrassment for the Union occupiers, but elevated Tabb to hero status in pro-secession Williamsburg (Dubbs 2002: 293-94).

VI. CONCLUSIONS AND RECOMMENDATIONS

During the months of June and July 2005, JRIA conducted Phase II archaeological evaluations at four sites located on the Whittaker's Mill tract in York County, Virginia (see Figures 1, 2, and 3). Approximately 225 acres in size, the tract is bound by Highway 64 and an exit ramp to Route 199 on the south and east, by Kings Creek on the west, and by Water Country USA on the north (see Figure 2). Archaeologists affiliated with the Department of Archaeology at the Colonial Williamsburg Foundation originally identified sites 44YO394, 44YO0395, and 44YO0396 during a preliminary Phase I survey in 1983 (Hunter 1984). A portion of the historic Williamsburg-Yorktown Road that passes through the Whittaker's Mill tract (44YO1026) received a formal Virginia site inventory number in 2003 (Laird and Lutton 2004). The Whittaker's Mill tract is owned by Premier Properties USA, Inc. which plans to develop the property for commercial purposes.

Upon the completion of Phase II evaluations three of the four sites were recommended as eligible for listing on the National Register of Historic Places (Table 9).

Table 9. Summary of sites and eligibility.

Inv. #	Type	Date	Eligible	Potential Effect	Recommend.
44YO0394	Multi-component: slave quarter; mill site; Civil War camp and earthwork	ca. 1740-1900	Yes	Direct	Avoidance or Phase III
44YO0395	Brick Clamp	ca. 1720 - 1780	No	Direct	No further work
44YO0396	Slave Quarter	ca. 1700 - 1750	Yes	Direct	Avoidance or Phase III
44YO1026	Historic Road	1700-1900	Yes	Direct	Preservation in place

44YO0394

Site 44YO0394 is located on a bluff overlooking the mill run for Whittaker's Mill (44YO0385) and beyond that the Kings Creek drainage basin (see Figures 3, 10, and 11). A host of historic components are present within the 250 ft. by 500 ft. boundaries of the site, including a Civil War winter hut chimney base and a nearby earthwork/gun emplacement, a colonial or antebellum brick clamp, a clay extraction pit associated with the nearby clamp, a robbed 30 ft. by 30 ft. late eighteenth-century foundation and surrounding artifact concentration, a 12 ft. brick foundation, a large artifact concentration dating to the second half of the eighteenth century when Carter Burwell and then Nathanial Burwell operated the Mill Quarter on the property (see Figure 16).

In our estimation the research potential and the integrity of site 44YO0394 is very good. The 250 ft. by 500 ft. site has not been plowed since the Civil War and this raises the research potential. Aside from nominal damage from logging, site 44YO0394 represents an almost pristine archaeological site that nature has slowly reclaimed. Therefore, for these reasons we recommend that site 44YO0394 is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to salvage the site before earthmoving disturbances can occur.

44YO0395

Site 44YO0395 consists of a colonial brick clamp located on top of a small knoll north of Whiteman Swamp and abuts up against the Williamsburg-Yorktown Road (44YO1026) (see Figures 10 and 24). The site is 110 ft. by 120 ft., and the clamp itself is approximately 25 ft. by 25 ft. in size and comprised of seven brick benches. All evidence suggests the clamp was fired once, probably to produce bricks for the construction of Philip Lightfoot's nearby mill in the 1720s, its rebuilding by Carter Burwell in the 1750s, or its renovation once again by Nathanial Burwell in the 1770s. After documenting the dimensions of the clamp, detailing construction and contextual data, and sampling the site, we believe there is little additional data that can be extracted from it. Therefore, we feel that the research potential of the brick clamp at site 44YO0395 has been exhausted at the Phase II level, and accordingly, the site is not eligible for listing on the National Register of Historic Places. No further archaeological work is recommended.

44YO0396

Site 44YO0396 is located on a rolling terrace between Whiteman Swamp to the south and the Williamsburg-Yorktown Road (44YO1026) which forms the north boundary (see Figures 3 and 17). The site consists of two main components: the main scatter of historic artifacts dating to the first half of the eighteenth century and an isolated concentration of lithic material on the south slope overlooking the millpond (see Figure 17). The lithic concentration yielded slightly less than 1,400 artifacts, mostly quartzite flakes and debitage. The component functioned as a lithic reduction site during the Archaic period. The majority of the component has been heavily sampled to the extent that we believe its research capacity has been exhausted.

The historic component of 44YO0396 functioned as a slave quarter site in the first half of the eighteenth century while under the ownership of Philip Lightfoot. Although the site has been plowed, archaeologists identified ten subsurface features, including two probable sub-floor pits. The research potential for the slave quarter component is very good and therefore we recommend that it is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to mitigate the site before disturbances can occur.

44YO1026

Site 44YO1026 consists of approximately a 2,900 ft. section of the historic Williamsburg-Yorktown Road (see Figures 3 and 29). The Phase II work at 44YO1026

did not involve any physical testing. Instead, the objective was to further document the potential significance of the historic road, collect additional documentary data, assess the integrity of the road, and make a determination its eligibility for nomination to the National Register of Historic Places. The road's eligibility hinges on two factors: historic significance and integrity.

The Williamsburg-Yorktown Road is one of the most historically significant roadways in Virginia and the 2,900 ft. section encompassed by site 44YO1026 is extremely well preserved and has high integrity. We recommend that the site is eligible for nomination to the National Register of Historic Places under Criterion A. Preservation in place of all or a portion of the site should be considered as a means of meeting Section 106 requirements as mandated by the National Historic Preservation Act of 1966, as amended (NRHP 2001). The exact manner of preservation should be determined by consultation with the appropriate regulatory agencies.